

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

MR. SALVADOR HERRERA CRUZ
PLAINTIFF
V.

BIO-MEDICAL APPLICATIONS OF ARECIBO, INC.; ET AL
DEFENDANTS

CIVIL NO. 3:19-cv-01582 (MDM)

TORT; DAMAGES; PERSONAL INJURY;
DIVERSITY;
TRIAL BY JURY DEMANDED

STATEMENT UNDER PENALTY OF PERJURY

I, Carlos Mendoza, of legal age, married, and resident of Toa Alta, Puerto Rico, hereby declare under penalty of perjury pursuant to 28 U.S.C. § 1746 the following:

1. That my name and personal circumstances are as expressed herein.
2. I am civil engineer and was hired as professional consultant for plaintiff in the captioned case.
3. That part of my consulting services was to make a visual inspection of the place of the accident alleged in the complaint in the captioned case and inspect the fixed ladder that allegedly caused the accident described in the Complaint.
4. On December 9, 2019, I visited Hospital Pavia Arecibo that is located in 129 Road, Km 1.0 San Luis Avenue, Arecibo, PR. as part of a consultant service in the captioned case.
5. That during my inspection to Hospital Pavia Hospital, I was escorted to the place of the alleged accident by Hospital Pavia Loss Prevention Manager, Mrs. Minelly Molina.
6. That during my visit, I physically inspected the location of the fixed ladder that allegedly caused the accident described in the Complaint at Hospital Pavia Arecibo.
7. That the fixed metal ladder is part of Hospital Pavia's physical owned or operated Dr. Susoni.
8. During my inspection I confirmed that the aforementioned fixed ladder is permanently fixed (attached) to a wall on the physical plant of Hospital Pavia's facilities, giving access to an open roof.
9. That during my inspection, I took measurements and photos of the fixed metal ladder and its appurtenances, which after climbing it leads to two diesel tanks at the physical plant of Dr. Susoni ("Hospital Pavia Arecibo").
10. I have read the Motion in Opposition for Summary Judgment, its Memorandum of Law and its Statement of Facts in the above captioned case, and to the best of my knowledge, all its facts and statements contained therein that relate to facts from inspection are true and correct.
11. That I am competent under the laws of the Commonwealth of Puerto Rico to give this declaration.
12. That I declare under penalty of perjury that the foregoing is the truth and nothing but the truth.

In Toa Alta, this 11 day of December of 2019.



Ing. Carlos Mendoza